G. R. S. IX-5]

Previous references.

~~192~~-1919
(Murzai)

File No 825
Serial Nos 1 to 6

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—6

Part B for May March 1922

SUBJECT.

Transfer of Khata of S.No. 66 + 6 acres out of S.No. 3 of Chikkun village Tirthahalli Taluk to Banasankaradevaru at the

---

&c. to Siddanna bin Nagappa of Chikkunvillage Agumbe Hobli

No. 4634 dated 23.2.22

Rejects the appeal of the petitioner re the

Retained

WD 1868—GPB—16,826—23-7-21

G. R S. III-1] 1919.

GENERAL AND REVENUE SECRETARIAT

(Huznai)

NOTES.

File No. 325—19.

FILE HEADING.

Lands endowed to Sri Banashankari temple at Chikkalur Village in the Kittadahalli Taluk.

From

Siddanna Bin Rajanna.

No. Petition Dated Received 11 MAY

Diary No. 995 Enclos. 2 Spare Copies — [Serial No 1

BRIEF ABSTRACT OF LETTER.

Appeals against the Dy. Commrs. order directing that the khata of 6 acres out of S.no 66 and S.no 3 of the said Village be made out in the name of the said deity.

NOTES AND ORDERS.

The appeal petition is duly stamped. A copy of the order appealed against is produced. The appeal is in time. A Vakil calling for report with memo. is submitted for appeal or order.

5.12.19

NOTES—First Sheet.

806

G. R. S. III-2]

General and Revenue Secretariat.

File No. 325 of 1919

Serial No

2. To, Dy Commr Shimoga
No 1847 dt 17.12.19
forwards the petn & calls for
report with in 3 m.

3. From Sidvanna this his Bdr
petition dt 21.6.20.
Prays for reasons stated,
that the execution of the Dy Commrs
order appealed against, may be
stayed pending disposal of the appeal
Petn.

To
Dy Commr forwards petn &
Tahsildar's report
that the report on the records
may not be intd because
petn is time barred.

6/7/20

Dy Commr

In this Case, appellant
prays for Stay of Execution
of the Order appealed against
till further the appeal is

NOTE—Contn sheet

G. R. S. III-2]

General and Revenue Secretariat. | New File No. of 191

Serial No

Herewith a Copy of the Order appealed against is here. The same has been sent to the D. Collector who has been called upon to submit a report.

A { Asked the D. G. to be Asked to send his report and the records at once Second Member 12/7/20

297-297
13-7-20

A. approved

New
14-7-20

Draft as amd
12/14/7/20

Amd
15/7

Amd 5-7-20

12/14/7/20

Amd 16/7

NOTE—Contn sheet

G. R. S. III-2J

General and Revenue Secretariat.

File No. 325 of 1919.

Serial No.	
4.	D. C. Shimoga No. 270 dt. 22-7-20. Re above - Letter & Calls for early Sanction & Report already Sent
5	From D-C Shimoga Dist. Letter No D.C. 318 dt 29-11-1921 Submits report with Connected records. - States that an enquiry was held into the circumstances of the case and an order passed by the Dy. Comr. on 19th September 1919 for cancellation registry of S.No 66 and transfer of S.No 3 in the name of Sa to be made Sankari Devaru. Submd. The order appealed against in the case. Is passed by the present Murrai Secy and gives in detail the circumstances of the case. There seems to be no ground for interference with the Order. RG 21/4/22

NOTE—Contn. sheet

R. S. III-2]

General and Revenue Secretariat.

File No. of 19

Serial No.

4003-248

28.1.22

Dewan Member) 27/1/22

I have gone into the D.C.'s order of 24.9.19. and it is clear from it that both the parties were heard & given the fullest chance for establishing their respective cases. From the facts as disclosed in the order, it is further clear that the applicant has no leg to stand upon. There is no reason to interfere with the order passed by the D.C. after a regular enquiry into the case. The applicant may now be informed accordingly.

Dewan
30.1.22

27/1/22

Dewan) 27/1/22

I understand that the Executive Member

Member
6/2/22

whether the lands in dispute belong to the Temple or a private

DEWAN'S OFFICE.
Recd. on FEB 1 1922
No. 4039

Wed 7.2.22

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

File No. of 19

Serial No.

One

There is also the question whether the Khata should be transferred to the name of the Temple from that of the Appellant. This being a Revenue question the file was submitted to the Dewan.

Second Member and Dewan

Uf 9/2/22

4243-207
11.2.22.

Seen

Dew
13.2.22

DEWAN'S OFFICE.
Recd. on FEB 14 1922
Reg. No. 4282

The Temple and the Khata have always been separate and they do not coincide.

15/2/22 Dew

AV 15/2/22

Dfr. and Rehearing

M 16.2.22. EA 16/2/22

Second Member

Dew
21.2.22 - Dewan

Uf 21/2/22

4430-96
20.2.22

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

MWŞ File No. 325 of 1919.

Serial No. 6

To Siddanna bin Nagappa of Chikkalur in the Nelamangalla Taluk

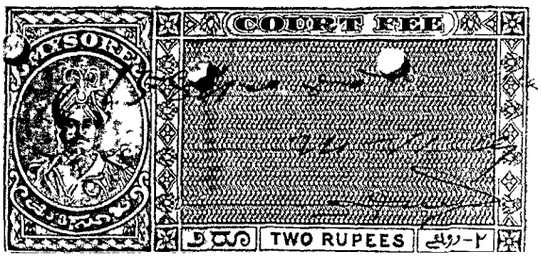
Endorsement no: 4634 dt, 28th Feb 22

States that there are no grounds to interfere with the order of the Dy Commr, Shimoga dt 14 the lands endowed to Sri Banashankari temple at Chickalur village

To The Deputy Commr, Shimoga

Memo. no: 4635 dt 28th Feb 22

Dt Copy of the above endorsement for information.



Inward Section
24.11.19 13???

BEFORE THE GOVERNMENT OF H.H.THE MAHARAJA OF MYSORE.

Muzrai Appeal No. of 1919-20.

IN THE COURT OF THE DEPUTY COMMISSIONER AT SHIMOGA.

Muzrai Case No.3 of 1917-1918.

	In the lower Court.	In this Hon'ble Court.
Siddanna bin Naganna, residing in Chikkalur Village, Agumbe Hobli, Tirthahalli Tlq.	Opponent.	Appellant.
--VS--		
Singappiah bin Subbiah, resident of Mankaragodu of the Chickkalur Village, Agumbe Hobli, Tirthahalli Taluq, on behalf of Shri Banashankari Devaru, temple at Chickkalur.	Petitioner.	Respondent.

The appellant abovenamed begs most respectfully to prefer this appeal to this Hon'ble Court from the order of the Deputy Commissioner of Shimoga in Muzrai Case No.3 of 1917-1918 on his file on the following - amongst other grounds:-

1. The lower Court erred in holding that the - lands belonged to the temple of Sri Banashankari Devaru and

and that the khata should be transferred to the name of the deity.

2. No title could be based upon a mere admission and the petitioner not having made out his title otherwise than from the admissions referred to in the order the lower Court erred in holding that the lands belonged to the temple.

3. The records in the case clearly prove that all Inam lands of the temple were resumed and a cash Tasdik was granted in the year 1875-76, and the khata was made out in the name of appellant's ancestors who became the owners of the lands.

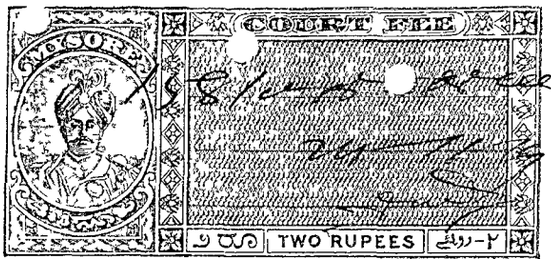
4. The very fact that a lease deed was executed by one one of the persons who are interested in the property and the various circumstances under which the lease deed came into existence which the appellant will urge at the hearing of the appeal and which will be clear from the statement of appellant before the Amildar show that the lease deed is fraudulent.

5. The lower Court erred in the circumstances in transferring the khata from the appellant's name to that of the temple. The khata has been in the name of the appellant and his ancestors for the last 30 or 40 years.

6. On the above and other grounds which will be urged at the hearing appellant prays that the order of the lower Court may be set aside and the khata be made out in the name of the appellant.

BANGALORE,
Nov.1919.

ADVOCATE for appellant.



ಮೈಸೂರಿನಲ್ಲಿ ಶ್ರೀಮಂತ ಕೋರ್ಟಿನಲ್ಲಿ

ಇ.ಸ. 1917 —1918 ನೆಯ ಇಸವಿ Mohyrau ನಂಬರು

(ಅರ್ಜಿದಾರ) ವಾದಿ
Siddamma

(ಎದುರರ್ಜಿದಾರ) ಪ್ರತಿವಾದಿ

ಶ್ರೀಯುತ ಮೈಸೂರು ಅಡ್ವೊಕೇಟ್ ಜನರಲ್ ಸನದಿತರಾದ ಬಿ.ಎಸ್. ಜಿ. ಎಲ್., ಯವರಿಗೆ.
M/s. M. Shankaran Nair
& B. Shankaraiah

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್‌ನಾಮೆ.

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನನ್ನ ಪರವಾಗಿ ತಾವು ಕೋರ್ಟ್‌ಗೆ ಹಾಜರಾಗಿ ಮೊಕದ್ದಮೆ ನಡೆಸುವದಕ್ಕೂ, ಅರ್ಜಿ ವಗೈರೆ ಕೊಟ್ಟು ವಿವಾದಿಸಿ ಫೈಸಲ್ ಹೊಂದತಕ್ಕ ಬಗ್ಯೂ, ಡಿಕ್ರಿಜಾರೀಕ್ರಮ ನಡೆಸತಕ್ಕ ಬಗ್ಯೂ, ದಸ್ತೈವಜು ವಗೈರೆ ತೆಗೆದುಕೊಂಡು ರಸೀದಿ ಕೊಡುವ್ರದಕ್ಕೂ, ಕೋರ್ಟಿನಿಂದ ವಾಪಸಾಗತಕ್ಕ ದಾವಾಸ್ಟ್ಯಾಂಪು. ಪ್ರೋಸೆಸ್ ಸ್ಟ್ಯಾಂಪು ಮತ್ತು ಡಿಕ್ರೀಹಣ, ಸಾಕ್ಷಿಭತ್ಯ ಇತ್ಯಾದಿ ಇತರ ನಿಧವಾದ ಎಲ್ಲಾ ಖರ್ಚಿಲಗು ತೆಗೆದುಕೊಳ್ಳುವದಕ್ಕೂ ನನ ತಮಗೆ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಆದ್ದರಿಂದ ಈ ಭಾಗದಲ್ಲಿ ತಾವೇ ಆಗಲಿ, ತಮಗೋಸ್ಕರ ಇನ್ಯಾವ ಲಾಯರೇ ಆಗಲಿ ನನಗೋಸ್ಕರ ಕೋರ್ಟ್‌ಗೆ ಹಾಜರಾಗಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಲು ಇದರಿಂದ ಬದ್ಧನಾಗಿರುತ್ತೇನೆ.

ತಾ॥ 191 }

Accepted
Advocate.

ಈ ಮೊಖ್ತ್ಯಾರ್‌ನಾಮೆ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರು ನನ್ನ ಸಮಕ್ಷಮ ಇದಕ್ಕೆ ರುಜು ಮಾಡಿದ್ದಾರೆ.

(ಪಟೇಲ್ ಅಥವಾ ಸ್ಥಾನಿಕಾಧಿಕಾರಿಯ ರುಜು.)

ಯು. ಪಿ. ಪ್ರೆಸ್, ಶಿವಮೊಗ್ಗಾ—೧೯೧೯.

G. R. S. VI.—6/7]

DRAFT.

SUBJECT.....

.....

.....

Section. Inam
File No. 32-19
Serial No. 2,

No. 1847 Revenue Branch

Diary No. of letter replied to.....

OFFICIAL MEMORANDUM.

GENERAL AND REVENUE SECRETARIAT,

, *the*..... *191* .

Date of issue 17.12.09

Signed by J.E Jayaraina Aiyar Dy Secy

The accompanying Petition Registered No. 995 dated 25.11.09 received at the General and Revenue Secretariat from Siddanna bin Rapanna appealing against the Dy. Commr's order directing that the kharab of S.No:66 land 6 acres out of S.No:30 of Chikkahalur village, Nidagal Taluk, be made out in the name of Sri Bana Shankari temple in the village, is forwarded, together with its enclosures.

to the Dy. Commr.
Hassan Dist

for a report & letter
to Board.

By Order,

17/12

Secretary to Government.

P.T.O.

ಅರ್ಜಿದಾರ ..... ತಾಲ್ಲೂಕು

..... ಹೋಬಳಿ

..... ಗ್ರಾಮದಲ್ಲಿರುವ

..... ಗೆ.

ಇಂಡಾರ್ಸ್ ಪೆಕುಂ.

ನಂಬರು.....

ವಿಷಯದಲ್ಲಿ ನೀವು ಗುಜರಾಯಿಸಿಕ್ಕೊಂಡ... 25-11-1 ರ

ಮುಕ್ಕುಮಿನ ಅರ್ಜಿಯನ್ನು .....

By Order,

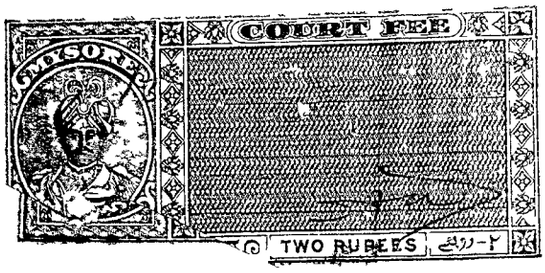
Secretary to Government.

List of enclosures

Copied by.....

Examined by.....

WD 1255—GPB -5,000—21-1-19



Petn for
copy
1916
Arrg Suit
CSR
19.6.20

Before the Government of His Highness
the Maharaja of Mysore
3313 Inam Appeal No. 19/20

Appellant
Sidramma

Respondent
Singappayya

DIARY No. 2[illegible]

The appellant abovenamed begs
to state as follows.—
The appellant had filed an appeal
on 24/11/19 praying that the order
of the deputy Commissioner of
Shimoga in Inam Case No. 3/17-18
on his file dated 19-9-19 may be
set aside for the reasons set forth
in the memorandum of appeal.

101
(19-20)

Latterly in execution of the
order of the deputy Commissioner
the Shekdar of the Hobli has
come and is trying to divide the
land and set boundary marks
on the same

Thus a pretty good portion
of the land will be taken up
by the boundary marks.

The order of the Deputy
Commissioner is not maintainable

for the reasons mentioned in the memorandum of appeal if execution of the said order should be allowed to proceed substantial loss will result to the appellant.

The appellant, therefore, prays that an order may be issued directing stay of execution of the said order pending disposal of the appeal.

Bangalore
Dt 18/6/20

Advocate for Appellant

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to... v.613

GENERAL AND REVENUE SECRETARIAT
( )
the *191* .

Date of issue.... 22-9-20

Signed by...

Section .
File No. 325
Serial No. 45

No.

To

The Hig Com
Shimoga

Sir,

Adverting to
No. 1821 - dated 2 : 8 : 20
from the Hig Collector
on the festival
bill in respect
the Hig Com
that the shafts
and bases
of that
Talak, &c

over.

name of the Ramasamipalle in the village, I am directed to forward herewith petition received No. 2613 dated 18.6.20 from the said individual on the subject, and to request that the report with regard already called for on the subject might be submitted at once without fail.

I have etc.

The Secretary, Board of Revenue.

7.7.20

List of enclosures.

Copied by

Examined by

WD 1744—GPB—30,000—19-8-19

9815

No H.C.318/Rev.19-20.
Encl. ~~Three files & one~~.
2 files + 1 petition + 3 other papers.

OFFICE OF THE DEPUTY COMMISSIONER,
SHIMOGA DISTRICT.

Dated, Shimoga 27th Nov., 1921

OPEN & REV. BR
1 DEC 1921

2190
21-22

From

S. Aravamudiengar, Hon., B.A., M.L.,
DEPUTY COMMISSIONER,
SHIMOGA DISTRICT.

325-19-2
R S

To

T. S. Saveruna Iyer, Esq., B.A., B.L.,
Secretary to Government,
Revenue Department,
Bangalore.

Sir,

With reference to your Official Memorandum No: 1847/Miz. 325-19-2 dated 17th December 1919 forwarding for report with connected records, appeal petition of Siddanna bin Naganna against the order of this Office regarding the transfer of Khate of S.No: 66 and six acres out of S.No: 3 of Chikkalur village, Thirthahalli Taluk to the name of Sri Banashankari Devaru at the place, I have the honour to state as follows:-

1. One Singappiah, Vahivatdar of Sri Banashankari Devaru temple at Chikkalur village Thirthahalli Taluk presented a petition on 30th June 1917 stating that the khate of S.No:66 and six acres of land out of S.No: 3 of the said village stood in the name of one Siddanna, though the lands belonged to the temple that Siddanna who was the tenant of the lands as per lease deed executed by his father Naganna in 1893 was attempting to sell the lands on the strength of the khate standing in his name, and that the khate of lands in question should be transferred to his name as Vahivatdar of the temple.

2. An enquiry was made into the circumstances of the case and parties were heard and order was passed on 19th September

1919

1919 by the Deputy Commissioner directing the registry of S.No: 66 and six acres out of S.No:3 (after necessary sub division) in the name of Sri Banashankari Devaru.

3. The reasons for the finding are given in detail in the order. It is against this order that the present appeal has been brought.

4. The three enclosures to the Memorandum under reply together with the petition received/your letter No: 270/Muz.325-19-4 dated 22nd July 1920 are herewith returned.

5. The file ending with Thirthahalli Taluk Amildar's report No: 151 dated 8th October 1921 and this Office file R.Dis.82 of 19-20 on the subject are also submitted herewith.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Shimoga District.

K.S.

G. R. S. VI—G/32]

SUBJECT.....

*Diary No. of letter replied to*_____

General and Revenue Secretariat
(.)
, *the* *191* .

Section నూర
File No. 325-19
Endorsement 6
No. 4634

Date of issue 23-2-22

To

Signed by Ch: V. E. Johnson

[illegible]